QUINN EMANUEL URQUHART & SULLIVAN, LLP

Andrew H. Schapiro (admitted *pro hac vice*)
andrewschapiro@quinnemanuel.com
191 N. Wacker Drive, Suite 2700
Chicago, IL 60606
Telephone: (312) 705-7400
Facsimile: (312) 705-7401

Diane M. Doolittle (CA Bar No. 142046)
dianedoolittle@quinnemanuel.com
555 Twin Dolphin Drive, 5th Floor
Redwood Shores, CA 94065
Telephone: (650) 801-5000
Facsimile: (650) 801-5100

Stephen A. Broome (CA Bar No. 314605)
stephenbroome@quinnemanuel.com
Viola Trebicka (CA Bar No. 269526)
violatrebicka@quinnemanuel.com
865 S. Figueroa Street, 10th Floor
Los Angeles, CA 90017
Telephone: (213) 443-3000
Facsimile: (213) 443-3100

Josef Ansorge (admitted *pro hac vice*)
josefansorge@quinnemanuel.com
Carl Spilly (admitted *pro hac vice*)
carlspilly@quinnemanuel.com
1300 I. Street, N.W., Suite 900
Washington, D.C. 20005
Telephone: 202-538-8000
Facsimile: 202-538-8100

Jonathan Tse (CA Bar No. 305468)
jonathantse@quinnemanuel.com
50 California Street, 22nd Floor
San Francisco, CA 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700

Jomaire A. Crawford (admitted *pro hac vice*)
jomairecrawford@quinnemanuel.com
51 Madison Avenue, 22nd Floor
New York, NY 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100

Attorneys for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CHASOM BROWN, WILLIAM BYATT, JEREMY DAVIS, CHRISTOPHER CASTILLO, and MONIQUE TRUJILLO, individually and on behalf of all similarly situated,
 	
        Plaintiffs,
 	
            v.
 	
GOOGLE LLC,
	Case No. 5:20-cv-03664-YGR-SVK
	
	DECLARATION OF WING PAN "BERT" LEUNG IN SUPPORT OF GOOGLE'S ASSERTION OF PRIVILEGE
	
	Referral: Hon. Susan van Keulen, USMJ

Defendant.

I, Wing Pan "Bert" Leung, declare as follows:

1.   I am a Google engineer. I make this declaration of my own personal, firsthand knowledge, and if called as a witness, I could and would testify competently thereto.

2.   In my role as a Google engineer, I have communicated with Google engineers, Google in-house counsel, and Google outside counsel to discuss technical issues related to this case.

3.   I am familiar with and was directly involved in preparing GOOG-CABR-03667431 and the communications contained therein between myself, Google outside counsel Josef Ansorge, and Google in-house counsel Ryan Blackhart and Toni Baker.

4.   This document is a "Google Docs"-formatted file. Google Docs is a web-based document program that allows multiple people to work in a document at the same time: edits can be seen as they are made, conversations can take place via comments directed to particular individuals and responses thereto. As such, it is common for discussions between Google in-house counsel, Google outside counsel, and non-attorneys to take place in the comments in a given Google document. These comments appear on the right-hand side of the document and are preceded by the word "Commented" and then a number in brackets.

5.   I prepared GOOG-CABR-03667431 at the request of Mr. Ansorge in order to provide technical information necessary for him to provide legal advice regarding Google's preservation of information.

6.   In Comment 2, relating to preservation of certain data for this litigation, I responded to in-house counsel Toni Baker's request for information with an estimate of the engineering

resources necessary to complete the requested task. Additionally, in response to her request, I informed counsel of my technological concerns related to data preservation efforts.

7.   In Comment 6, I responded to a request for information posed by Google outside counsel Josef Ansorge's request from Comment 3, by clarifying the scope of counsel's request and identifying the engineering resources and time necessary to complete the task.

8.   In Comment 8, I responded to a request from Google outside counsel Josef Ansorge and asked for advice from Mr. Ansorge regarding the similarity of this data request to a previous discovery-related assignment.

9.   In Comment 10, relating to the legal advice provided by Mr. Ansorge in comment 9, I acknowledged receipt of the advice and informed Mr. Ansorge of my next steps.

10.   I am also familiar with GOOG-BRWN-00846508, which are notes reflecting discussions between myself and Google engineer Mandy Liu.

11.   I understand that certain of the notes produced in GOOG-BRWN-00846508, at -512-13 have been redacted and withheld from disclosure.

12.   The redacted text in this document are notes of discussions between myself and Ms. Liu in which we discussed legal advice from in-house Google counsel relating to privacy and competition concerns and stated our intent to seek further advice regarding the same.

13.   I am also familiar with and was directly involved in preparing GOOG-CABR-00547295, which is an email discussion between myself and other Google engineers.

14.   I understand that the email I sent at 12:27 PM on July 13, 2020 in GOOG-CABR-00547295 (at -296), which is an in-line response to a July 13, 2020 email from Google engineer Chris Liao, has been redacted and withheld from disclosure.

DECLARATION OF WING PAN "BERT" LEUNG

15.   In the email I sent at 12:27 PM on July 13, 2020 in GOOG-CABR-00547295 (at -296), I was stating my intention to revise certain design documents in response to advice from Google in-house counsel.

16.   I understand that the email I sent at 5:09 PM on July 10, 2020 in GOOG-CABR-00547295 (at -296) has also been redacted and withheld from disclosure.

17.   In the email I sent at 5:09 PM on July 10, 2020 in GOOG-CABR-00547295 (at -296), I was conveying legal advice that I received from Google in-house competition counsel during a meeting that took place on July 9, 2020.

18.   It is and was my understanding that the redacted communications noted above were confidential and privileged within Google, and were sent for the purposes of discussing and conveying legal advice of Google in-house counsel.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed in Sunnyvale, California on March 14, 2022.

DATED: March 14, 2022

DocuSigned by:

By _Wing Pan Leung_
      C074D50C782249C...
Wing Pan "Bert" Leung

Case No. 5:20-cv-03664-YGR-SVK
DECLARATION OF WING PAN "BERT" LEUNG